

**Worksheet**  
**Determination of NEPA Adequacy (DNA)**  
U.S. Department of the Interior  
Bureau of Land Management

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OFFICE: Humboldt River Field Office, LLNVW01000

TRACKING NUMBER: DOI-BLM-NV-W010-2013-0032-DNA

CASEFILE/PROJECT NUMBER:

PROPOSED ACTION TITLE/TYPE: Long Canyon Fire Temporary Fences

LOCATION/LEGAL DESCRIPTION:

T. 45 N., R. 37 E., sec. 3, 8-10, 16-19

T. 45 N., R. 36 E., sec. 16, 20-21, 24-26, 29, 32, 35

T. 44 N., R. 36 E., sec. 2, 5, 10, 16

APPLICANT (if any): Jordan Meadows, LLC. & Bartell Ranch, LLC.

**BACKGROUND INFORMATION ON FIRE**

During the summer of 2012, the Long Canyon Fire burned approximately 36,790 acres of public and 57 acres of private lands within the in the Jordan Meadows (107,737 acres) Allotment and the Crowley Creek (50,463 acres) Allotment, which are within the jurisdiction of the Humboldt River Field Office (HRFO).

In December 2012 the BLM issued a decision closing portions of these allotments as part of an Emergency Stabilization and Rehabilitation Plan. (DOI-BLM-NV-W010-2013-0001-DNA).

**A. Description of the Proposed Action with attached map(s) and any applicable mitigation measures.**

John Falen and Edward Bartell, permittees on Jordan Meadows and Crowley Creek Allotments, have requested temporary electric fences along the southwest and southeast boundaries of the Long Canyon Fire in order to comply with the closure mentioned above and rest the burn areas until objectives have been met. The proposed fences would allow both permittees to utilize the remainder of their allotments within the terms and conditions of their permits. Permitted livestock grazing use within the Jordan Meadows Allotment is March 1 through December 31, and permitted use in the Crowley Creek Allotment is April 1 through December 16. These fences would be purchased, constructed, maintained, and removed by the permittees.

Two temporary electric fences are proposed to be constructed (see attached map and “to fiberglass T posts” specifications). The first would start from approximately one mile southeast of Salient Peak (45N, 37E section 3) and end at an existing pasture boundary fence in the Crowley Creek Allotment (45N, 36E section 35). The fence would be approximately 9 miles long. The second would start from an existing pasture fence near Crowley Creek (45N, 36E section 16), and end near Rock Creek (44N, 36E section 5). The total length of this fence would be approximately four miles. The fences would be constructed according to current temporary fence specifications. Estimated construction date is March 22, 2013. The temporary fences would be removed when the objectives of the Emergency Stabilization Plan closures have been met.

## **B. Land Use Plan (LUP) Conformance**

LUP Name\*: Paradise Denio Management Framework Plan (MFP)

Date Approved: 1982

\*List applicable LUPs (for example, resource management plans; activity, project, management, or program plans; or applicable amendments thereto).

**The proposed action in conformance with the applicable LUP because it is specifically provided for the following LUP decisions:**

The proposed treatments are in conformance with **the Paradise-Denio MFP:**

**Wildlife MFPIII Decisions WL-1.21 P.D.:** Maintain and improve habitat for sensitive, protected, threatened and endangered species listed on the U.S. Fish and Wildlife Service Endangered and Threatened List, BLM-Nevada Department of Wildlife Sensitive Species List and those existing Federal and state laws and regulations.

### **Paradise-Denio MFP, Standard Operating Procedures: .45 Soil-Water-Air**

“Consider rehabilitation areas which have had protective vegetative cover destroyed by wildfire...Utilize seeding or other watershed stabilization techniques as required. Rehabilitation must be protected from grazing until adequate seedling establishment has been attained.”

## **C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action:**

List by name, number and date (DR/FONSI or ROD) all applicable NEPA documents that cover the proposed action.

- **Normal Year Fire Rehabilitation Plan Environmental Assessment** EA# NV-020-04-21, Decision Record and Finding of No Significant Impact 8/19/04.

List by name and date other documentation relevant to the proposed action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report):

- **Biological Opinion for the Normal Year Fire Rehabilitation Plan** (August 2004)
- **Winnemucca District Fire Management Plan** (September 2004)
- **IM 2012-043 Greater Sage Grouse Interim Management Policies Procedures/A Report on National Greater Sage-Grouse Conservation Measures.** Produced by: Sage-grouse National Technical Team, 12/21/2011 (pp. 27)
- **IM 2012-044 BLM National Greater Sage-Grouse Land Use Plan Strategy**
- **Native Cover Crops Suppress Exotic Annuals and Favor Native Perennials in a Greenhouse Competition Experiment** (Perry, Plant Ecology, February 2009)
- **USFWS Utah Field Office Guidelines for Raptor Protection From Human and Land Use Disturbances** (2002)

#### **D. NEPA Adequacy Criteria**

**1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA documents(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Documentation of answer and explanation:

Yes, the proposed action is similar to the proposed action in the Normal Fire Rehabilitation Plan EA NV-020-04-21 (DR/FONSI 8/19/04) (EA), which addressed the use of temporary fences to assist in closing burned areas to livestock grazing in order to meet rehabilitation plan objectives.

**2. Is the range of alternatives analyzed in the existing NEPA documents(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?**

Documentation of answer and explanation:

Yes, the range of alternatives analyzed in the existing NEPA documents is appropriate with respect to the current proposed action and current environmental concerns, interests, resource values and circumstances.

The project area included Greater Sage Grouse habitat before the Long Canyon Fire occurred. Greater Sage Grouse are a candidate species for listing under the Endangered Species Act, and are currently a BLM sensitive species. Effects to sage-grouse and sage-grouse habitat from temporary fences were analyzed in the EA.

**3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Documentation of answer and explanation:

Yes, the existing analyses are adequate in regard to the proposed action. The proposed action and analysis of that action is in compliance with IM 2012-043, "Greater Sage-Grouse Interim Management Policies and Procedures (December 2011) and the "Report on National Greater Sage-Grouse Conservation Measures" (December 2011) which guide policy in Sage Grouse habitat. Sage Grouse were identified as a BLM sensitive species in all relevant analysis documents and no change to that status has since occurred.

**4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Documentation of answer and explanation:

Yes, the analytical approach used in the existing NEPA document continues to be appropriate for the current proposed action.

**5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

Documentation of answer and explanation:

Yes, public involvement and interagency review associated with existing NEPA documents are adequate.

DOI-BLM-NV-W010-2013-0032-DNA

**E. Persons/Agencies/BLM Staff Consulted**

<b>Name /Title</b>	<b>Resource/Agency Represented</b>	<b>Signature/Date</b>	<b>Comments (Attach if more room is needed)</b>
Rob Burton	Vegetation/Soils	/s/ Rob Burton 3/13/2013	
Nancy Spencer-Morris	Wildlife	/s/ Nancy Spencer-Morris 3/18/2013	
Allie Brandt	GIS	/s/ Allie Brandt 3/18/2013	
Eric Baxter	Noxious Weeds	/s/ Eric Baxter 3/11/2013	
John McCann	Hydrology/Riparian	/s/ John McCann 3/12/2013	See Below
Zwaantje Rorex	NEPA	/s/ Zwaantje Rorex 3/20/2013	
Mark Hall	Cultural/Native American Concerns	/s/ Mark Hall 3/18/2013	See Below
Bret Allen	Range	/s/ Bret Allen 3/11/2013	
Greg Lynch	Fisheries	/s/ Greg Lynch 3/11/2013	
Kristine Struck	Lands with Wilderness Characteristics	/s/ Kristine Struck 3/12/2013	

Note: Refer to the EA/EIS for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

☒ **Conclusion** *(If you found that one or more of these criteria is not met, you will not be able to check this box.)*

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM' compliance with the requirements of the NEPA.

/s/ Bret Allen 3/20/2013  
Signature of Project Lead

/s/ Zwaantje Rorex 3/20/2013  
Signature of NEPA Coordinator

/s/ Vern Graham 3/20/2013  
Signature of the Responsible Official Date

**Note:** The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

Comments:

Hydrology/Riparian:

Consider adding a condition which would require some sort of fence monitoring/reporting by permittees. This would be especially important in ensuring cattle do not get into Crowley Creek and get stuck.

Cultural/Native American Concerns:

Suggested mitigation/stipulation: Proponent needs to follow fence line route cleared by cultural contractor.